



## **DEPARTMENT OF LABOR**

### **Occupational Safety and Health Administration**

**[Docket No. OSHA-2009-0025]**

#### **Underwriters Laboratories Inc.; Application for Expansion of Recognition**

**AGENCY:** Occupational Safety and Health Administration (OSHA), Labor.

**ACTION:** Notice.

**SUMMARY:** In this notice, OSHA announces the application of Underwriters Laboratories, Inc., for expansion of its recognition as a Nationally Recognized Testing Laboratory (NRTL) under 29 CFR 1910.7 and presents the Agency's preliminary finding to grant the application. Additionally, OSHA proposes incorporating two new test standards into the NRTL Program's list of appropriate test standards.

**DATES:** Submit comments, information, and documents in response to this notice, or requests for an extension of time to make a submission, on or before [INSERT DATE 15 DAYS AFTER PUBLICATION IN THE FEDERAL REGISTER].

**ADDRESSES:** Submit comments by any of the following methods:

1. Electronically: Submit comments and attachments electronically at <http://www.regulations.gov>, which is the Federal eRulemaking Portal. Follow the instructions online for making electronic submissions.
2. Facsimile: If submissions, including attachments, are not longer than 10 pages, commenters may fax them to the OSHA Docket Office at (202) 693-1648.
3. Regular or express mail, hand delivery, or messenger (courier) service: Submit comments, requests, and any attachments to the OSHA Docket Office, Docket No. OSHA-2009-0025, Technical Data Center, U.S. Department of Labor, 200 Constitution

Avenue, NW., Room N-2625, Washington, DC 20210; telephone: (202) 693-2350 (TTY number: (877) 889-5627). Note that security procedures may result in significant delays in receiving comments and other written materials by regular mail. Contact the OSHA Docket Office for information about security procedures concerning delivery of materials by express delivery, hand delivery, or messenger service. The hours of operation for the OSHA Docket Office are 8:15 a.m. - 4:45 p.m., e.t.

4. Instructions: All submissions must include the Agency name and the OSHA docket number (OSHA-2009-0025). OSHA will place all submissions, including any personal information provided, in the public docket without revision, and these submissions will be available online at <http://www.regulations.gov>.

5. Docket: To read or download submissions or other material in the docket, go to <http://www.regulations.gov> or the OSHA Docket Office at the address above. All documents in the docket are listed in the <http://www.regulations.gov> index; however, some information (e.g., copyrighted material) is not publicly available to read or download through the web site. All submissions, including copyrighted material, are available for inspection and copying at the OSHA Docket Office. Contact the OSHA Docket Office for assistance in locating docket submissions.

6. Extension of comment period: Submit requests for an extension of the comment period on or before [INSERT DATE 15 DAYS AFTER PUBLICATION IN THE FEDERAL REGISTER] to the Office of Technical Programs and Coordination Activities, Directorate of Technical Support and Emergency Management, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Room N-3655, Washington, DC 20210, or by fax to (202) 693-1644.

**FOR FURTHER INFORMATION CONTACT:** Information regarding this notice is available from the following sources:

Press inquiries: Contact Mr. Frank Meilinger, Director, OSHA Office of Communications, U.S. Department of Labor, 200 Constitution Avenue, NW., Room N-3647, Washington, DC 20210; telephone: (202) 693-1999; email: [Meilinger.francis2@dol.gov](mailto:Meilinger.francis2@dol.gov).

General and technical information: Contact Mr. David W. Johnson, Director, Office of Technical Programs and Coordination Activities, Directorate of Technical Support and Emergency Management, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Room N-3655, Washington, DC 20210; phone: (202) 693-2110 or email: [johnson.david.w@dol.gov](mailto:johnson.david.w@dol.gov).

## **SUPPLEMENTAL INFORMATION:**

### **I. Notice of the Application for Expansion**

The Occupational Safety and Health Administration is providing notice that Underwriters Laboratories, Inc. (UL) is applying for expansion of its current recognition as an NRTL. UL requests the addition of 21 test standards to its NRTL scope of recognition.

OSHA recognition of an NRTL signifies that the organization meets the requirements specified in Title 29, Code of Federal Regulations, Section 1910.7 (29 CFR 1910.7). Recognition is an acknowledgment that the organization can perform independent safety testing and certification of the specific products covered within its scope of recognition. Each NRTL's scope of recognition includes (1) the type of products the NRTL may test, with each type specified by its applicable test standard; and (2) the recognized site(s) that has/have the technical capability to perform the product-testing and product-certification

activities for test standards within the NRTL's scope of recognition. Recognition is not a delegation or grant of government authority; however, recognition enables employers to use products approved by the NRTL to meet OSHA standards that require product testing and certification.

The Agency processes applications by an NRTL for initial recognition, and for an expansion or renewal of this recognition, following requirements in Appendix A to 29 CFR 1910.7. This appendix requires that the Agency publish two notices in the Federal Register in processing an application. In the first notice, OSHA announces the application and provides its preliminary finding. In the second notice, the Agency provides its final decision on the application. These notices set forth the NRTL's scope of recognition or modifications of that scope. OSHA maintains an informational web page for each NRTL, including UL, which details the NRTL's scope of recognition. These pages are available from the OSHA web site at <http://www.osha.gov/dts/otpc/nrtl/index.html>.

UL currently has 34 facilities (sites) recognized by OSHA for product testing and certification, with its headquarters located at: Underwriters Laboratories, Inc., 333 Pfingsten Road, Northbrook, IL 60062. A complete list of UL's scope of recognition is available at <http://www.osha.gov/dts/otpc/nrtl/ul.html>.

## **II. General Background on the Application**

UL submitted an application, dated March 26, 2013 (see Exhibit 1), to expand its recognition to include multiple additional test standards. The Office of Technical Programs and Coordination Activities (OTPCA) staff performed a comparability analysis and reviewed other pertinent information. OSHA did not perform any on-site reviews in relation to this application.

Table 1 below lists appropriate test standards found within UL’s application for expansion for testing and certification of products under the NRTL Program. Two of these test standards, UL 66 and UL 8750, are new to the NRTL Program, and OSHA preliminarily determined that they are “appropriate test standards” within the meaning of 29 CFR 1910.7(c).

**Table 1**

**Proposed List of Appropriate Test Standards for Inclusion in UL’s NRTL Scope of Recognition**

<b>Test Standard</b>	<b>Test Standard Title</b>
ANSI/UL 2208	Solvent Distillation Units
IEEE C37.20.7	IEEE Guide for Testing Metal-Enclosed Switchgear Rated Up to 38 kV for Internal Arcing Faults
ANSI/UL 8750*	Light Emitting Diode (LED) Equipment for Use in Lighting Products
ANSI/UL 448B	Residential Fire Pumps Intended for One- and Two-Family Dwellings and Manufactured Homes
ANSI/UL 448C	Stationary, Rotary-Type, Positive-Displacement Pumps for Fire Protection Service
ANSI/UL 62368-1	Audio/Video, Information and Communication Technology Equipment - Part 1: Safety Requirements
ANSI/UL 50E	Enclosures for Electrical Equipment, Environmental Considerations

<b>Test Standard</b>	<b>Test Standard Title</b>
ANSI/UL 61800-5-1	Adjustable Speed Electrical Power Drive Systems - Part 5-1:  Safety Requirements - Electrical, Thermal and Energy
ANSI/UL 66*	Fixture Wire
ANSI/UL 2239	Hardware for the Support of Conduit, Tubing, and Cable
ANSI/UL 62275	Cable Management Systems - Cable Ties for Electrical  Installations
ANSI/UL 60335-2-40	Household and Similar Electrical Appliances, Part 2: Particular Requirements for Electrical Heat Pumps,  Air-Conditioners and Dehumidifiers
ANSI/UL 2560	Emergency Call Systems for Assisted Living and Independent Living Facilities
ANSI/UL 2572	Mass Notification Systems
ANSI/UL 2577	Suspended Ceiling Grid Low Voltage Systems and Equipment
ANSI/UL 8752	Organic Light Emitting Diode (OLED) Panels
ANSI/UL 60745-2-13	Hand-Held Motor-Operated Electric Tools - Safety - Part 2-13:  Particular Requirements For Chain Saws
ANSI/UL 60745-2-15	Hand-Held Motor-Operated Electric Tools - Safety - Part 2-15:  Particular Requirements for Hedge Trimmers
ANSI/UL 2586	Hose Nozzle Valves
ANSI/UL 2238	Cable Assemblies and Fittings for Industrial Control and Signal Distribution
UL 6142	Small Wind Turbine Systems

\* Test standards new to the NRTL Program.

### **III. Preliminary Findings on the Application**

OSHA's preliminary findings:

1. UL submitted an acceptable application for expansion of its scope of recognition.

OSHA's review of the application file and its comparability analysis indicate that UL can meet the requirements prescribed by 29 CFR 1910.7 for expanding its recognition to include the addition of 21 test standards for NRTL testing and certification listed above. This preliminary determination does not constitute an interim or temporary approval of UL's application.

2. The UL 66 and UL 8750 test standards are appropriate test standards, and OSHA proposes to include these test standards in the NRTL Program's list of appropriate test standards.

OSHA welcomes public comment as to whether UL meets the requirements of 29 CFR 1910.7 for expansion of its recognition as an NRTL. OSHA also seeks comments as to whether the UL 66 and UL 8750 test standards are appropriate test standards under the NRTL Program. Comments should consist of pertinent written documents and exhibits. Commenters needing more time to comment must submit a request in writing, stating the reasons for the request. Commenters must submit the written request for an extension by the due date for comments. OSHA will limit any extension to 10 days unless the requester justifies a longer period. OSHA may deny a request for an extension if the request is not adequately justified. To obtain or review copies of the publicly available information in UL's application, including pertinent documents (e.g., exhibits) and all submitted comments, contact the Docket Office, Room N-2625, Occupational Safety and Health Administration, U.S. Department of Labor, at the above address; these

materials also are available online at <http://www.regulations.gov> under Docket NoOSHA-2009-0025.

The OTPCA staff will review all comments to the docket submitted in a timely manner and, after addressing the issues raised by these comments, will recommend to the Assistant Secretary for Occupational Safety and Health whether to grant UL's application for expansion of its scope of recognition and whether to add the two test standards to the NRTL list of appropriate test standards. The Assistant Secretary will make the final decision on granting the application and adding the two new test standards. In making this decision, the Assistant Secretary may undertake other proceedings prescribed in Appendix A to 29 CFR 1910.7.

**OSHA will publish a public notice of its final decision in the Federal Register.**

#### **IV. Authority and Signature**

David Michaels, PhD, MPH, Assistant Secretary of Labor for Occupational Safety and Health, 200 Constitution Avenue, NW., Washington, DC 20210, authorized the preparation of this notice. Accordingly, the Agency is issuing this notice pursuant to 29 U.S.C. 657(g)(2), Secretary of Labor's Order No. 1-2012 (77 FR 3912, Jan. 25, 2012), and 29 CFR 1910.7.

Signed at Washington, DC, on April 9, 2014.

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**David Michaels,**  
Assistant Secretary of Labor for Occupational Safety and Health.

**BILLING CODE: 4510-26-P**



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